

Texas Commission on Environmental Quality
Water Rights Advisory Work Group
November 15, 2010
Building E, Room 201S
10:00 AM

Welcome and Introductions: Steve Ramos

Discussion of Environmental Flows Rule Proposal: Kellye Rila, Ron Ellis, and
Kathy Alexander

November 3, 2010 - Proposed Rule went before the Commission for the Trinity and San Jacinto Rivers and the Sabine and Neches Rivers

An alternate set of recommendations for the Trinity and San Jacinto Rivers was submitted by a third party and can be found on the TCEQ web site at http://www.tceq.state.tx.us/assets/public/permitting/watersupply/water_rights/eflows/alternativeversion_rulelanguage.11.02revised.pdf

Timeline for the Rule:

Proposal Agenda – November 3, 2010

Published in Texas Register - November 19, 2010

Public hearing - December 16, 2010

Comment period - November 19- Dec 20, 2010

Anticipated adoption date - April 20, 2010

Statutory deadline for adoption of rule - June 1, 2011

A question and answer session ensued regarding the rules development process. Attendees were directed to view the TCEQ web site and strongly encouraged to read the preamble. Information regarding environmental flows assessment can be found at

http://www.tceq.texas.gov/permitting/water_supply/water_rights/eflows

Section Update: Kellye Rila

In addition to permitting, the Water Rights Permitting and Availability Section is busy with rule making. Section staff is providing facilitation, administrative and technical support for approximately 10 environmental flow groups.

We are getting ready for the Legislative Session that starts in January. Pre-filing of bills is already taking place.

We are also participating in the Sunset Review.

Introduction of new employees: Suzy McElroy, Engineer, Environmental flows, modeling and backup for Herman Settemeyer;
Kyle Garmany, Resource Protection Team
George Gable, Resource Protection Team

Commission Actions: Robin Smith

The Commission considered the Proposal for Decision for Bradley Ware. The Commission went with the ED decision that the application should be denied.

The Brazos River Authority had a Preliminary Hearing in June regarding its systems operations permit. We are currently in discovery; the hearing is scheduled for March, 2011.

The Preliminary Hearing for the Hill Country Priority Groundwater Management Area was in October. The hearing is scheduled for June, 2011

Closing/Comments: Steve Ramos

Next Meeting – April 11, 2011

Proposed topics for next meeting: Legislative Update and Sunset findings